

CRIMINAL AND CIVIL
MOTIONS FOR POSTPONEMENT
PROCEDURES



MONTGOMERY COUNTY CIRCUIT COURT

Revised 02/01/13

MONTGOMERY COUNTY CIRCUIT COURT

CRIMINAL AND CIVIL MOTIONS FOR POSTPONEMENT

- 🕒 **ALL REQUESTS FOR POSTPONEMENT, REGARDLESS OF THE TYPE OF HEARING, MUST BE MADE IN THE FORM OF A WRITTEN MOTION FOR POSTPONEMENT.**
 - The Motion should include specific reasons for the postponement, the other party's position on the postponement (if possible), and a proposed Order.
 - Supporting exhibits, i.e., previously received court notices, doctor's note, etc., are encouraged.
 - All civil motions must be filed with the Clerk's Civil Department.
 - All criminal motions must be filed with the Clerk's Criminal Department.
 - **PLEASE NOTE: Consent or joint motions are *NOT* automatically granted.**
- 🕒 **EXCEPTIONS TO REQUIREMENT OF FILING OF A MOTION FOR POSTPONEMENT: [WHERE "AO" IS NOTED, NEW DATES MUST BE CLEARED WITH THE ASSIGNMENT OFFICE]**
 - Civil Track 0 and DCA hearings may be rescheduled one time by a letter of agreement. The new date must be within thirty (30) days of the original hearing date. (AO)
 - Civil motions may be postponed one time by a letter of agreement. The new date must be set within thirty (30) days of the original motions date. (AO)
 - Track 3 Civil Scheduling Hearings may be postponed one time by consent of all parties and upon filing of a joint line. The new date must be set within two (2) weeks of the original date.
 - Criminal 4-215/Scheduling Hearings may be postponed one time for one week by a line of agreement. If more time is necessary, a Motion to Postpone must be filed.
 - Criminal Track 2-3 Pre-Trial Hearings may be postponed one time for one week by line of agreement. If more time is necessary, a Motion to Postpone must be filed.

- Criminal Track 2-3 Motions hearing date is noted at the 4-215/Scheduling Hearing but not scheduled until the Pre-Trial Hearing. Prior to the Pre-Trial Hearing no action is necessary, as the Motions date will be confirmed, adjusted or removed as required at that Hearing. After the Pre-Trial Hearing, a Motion to Postpone is required.
- Criminal Resolution Conferences: A line of agreement may schedule (AO) and postpone (AO). The Conference must be held prior to the Pre-Trial Hearing date.

If you have any questions regarding the above-listed exceptions, please contact the Assignment Office at 240-777-9000.

MOTION FOR POSTPONEMENT PROCESS

- If a case is specially assigned to a judge (entire case is specially assigned), the specially assigned judge will rule on the motion. Track 4 cases will be ruled on by a Track 4 judge, with trial postponements referred to the Administrative Judge as required.
- All Motions for Postponement are processed by the Administrative Aides of the Administrative Judge, even if there is a substitute Administrative Judge. The Administrative Aides are located at 50 Maryland Avenue, Room 307.
- Do not send original Motions for Postponement directly to the Administrative Aides or to the Administrative Judge, as this will delay the process. Please follow the filing instructions outlined below.
- There is a 2:00 p.m. cut-off/deadline for filing a postponement if the date requested to be postponed is the next day. The following steps must be completed by 2:00 p.m.:
 1. Obtain the court file.
 2. Take file to the Clerk's Civil/Criminal Department for docketing, as appropriate.
 3. Take file to the Assignment Office to obtain proposed dates and/or confirmation of a previously agreed upon date, which has been cleared by the Assignment Office.
 4. Bring file to the Administrative Aides, Room 307. You will be advised via telephone of the Court's ruling.

- If the Motion for Postponement is for a trial or hearing scheduled within three (3) weeks, it is advisable to walk the docketed motion through to the Administrative Aides. You do not need to be an attorney to walk through a motion. The process is the same as above.
- If you mail your request, please keep in mind that the Clerk's Office receives numerous filings daily and it may take several days to process your request.

If you have any questions concerning this process,
please feel free to call Administrative Judge John W. Debelius'
Administrative Aides:

Joette Ganley at 240-777-9107 and Debbie Bennett at 240-777-9106.

Montgomery County Circuit Court
Judicial Center
50 Maryland Avenue
Rockville, Maryland 20850